

**THURSDAY, JANUARY 16, 2014**

**THIRTY-SIXTH LEGISLATIVE DAY**

The House met at 9:00 a.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Jon Amspaugh, Church of the Nazarene, Carthage TN.

Rep. Weaver led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present..... 94

Representatives present were Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Doss, Dunn, Durham, Eldridge, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

**EXCUSED**

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Todd; illness

Representative Odom; business

**PRESENT IN CHAMBER**

Representative(s) Dean, Evans, and Rich was/were recorded as being present in the Chamber.

### SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 546** Rep(s). Sexton and Bailey as prime sponsor(s).

### INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the following resolution(s) listed was/were introduced and referred to the appropriate Committee:

**House Joint Resolution No. 540** -- Memorials, Recognition - Recognizes February 10, 1954, as the anniversary of the addition of the words, "under God," to the United States Pledge of Allegiance. by \*Butt.

House State Government Committee

**\*House Joint Resolution No. 542** -- Memorials, Congress - Urges Congress to revise No Child Left Behind standards relative to special education students and graduation rates. by \*Pitts, \*Johnson C, \*Tidwell.

House Education Committee

**\*House Joint Resolution No. 543** -- General Assembly, Directed Studies - Requests the department of education to study and report on ways local education agencies are implementing the requirements of TCA 49-6-1021, which requires 90 minutes of physical activity per week. by \*Pitts, \*Johnson C, \*Tidwell.

House Education Committee

**\*House Joint Resolution No. 545** -- General Assembly, Statement of Intent or Position - Recommends all school administrators, teachers, parents and students be educated about the potential health impact of heavy backpacks and take proactive measures to avoid injury. by \*DeBerry J.

House Education Committee

### RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for January 22, 2014:

**House Joint Resolution No. 549** -- Memorials, Sports - Dylan Heck. by \*Harrison.

**House Joint Resolution No. 550** -- Memorials, Recognition - Genesis Learning Centers, 30th anniversary. by \*Pitts.

## INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

**House Bill No. 1489** -- Safety - As introduced, redefines "amusement device" to include go karts used for a commercial purpose; authorizes regulation of go karts used for a commercial purpose by the elevator and amusement device safety board. - Amends TCA Title 68, Chapter 121, Part 1. by \*Carr D.

**\*House Bill No. 1490** -- Highways, Roads and Bridges - As introduced, authorizes utilities to be placed below, along or adjacent to a county road or county road right-of-way with permission of the head of the county highway department; makes various other revisions to the Tennessee County Uniform Highway Law governing the placement of utilities and other obstacles and obstructions in county roads or rights-of-way of county roads. - Amends TCA Section 54-7-201. by \*Carr D, \*Dean, \*Keisling, \*Alexander.

**\*House Bill No. 1491** -- Education - As introduced, expands the authority of LEAs to implement a program identifying public school children who are at risk for obesity to include children at risk for Type II diabetes. - Amends TCA Title 49. by \*Carter.

**\*House Bill No. 1492** -- Public Contracts - As introduced, clarifies that the only bid preferences that are permissible in public construction projects of local governments are those created by the general assembly by general law; prohibits local authorization for bid preferences for contracts unless general assembly specifically authorizes such actions to occur. - Amends TCA Title 12, Chapter 4, Part 8. by \*McCormick.

**\*House Bill No. 1493** -- Recycling - As introduced, prohibits owners and operators of sanitary landfills located within a twenty-five mile radius of sites where asphalt roofing shingles are recycled pursuant to the issuance of a permit-by-rule from accepting, for disposal, loads of whole or processed asphalt roofing shingles; requires the underground storage tanks and solid waste disposal control board to post on its website the name and address of each site at which the recycling of asphalt roof shingles is approved pursuant to the issuance of a permit-by-rule. - Amends TCA Title 68, Chapter 211 and Title 68, Chapter 213. by \*Williams R.

**House Bill No. 1494** -- Medical Occupations - As introduced, adds certain physician assistants to those designated professionals authorized to perform the duties of a physician under portions of involuntary admission to inpatient mental health treatment statute. - Amends TCA Title 33. by \*Williams R.

**\*House Bill No. 1495** -- Physicians and Surgeons - As introduced, enables community mental health centers to employ physicians. - Amends TCA Title 63, Chapter 6. by \*Williams R.

**\*House Bill No. 1496** -- Private Protective Services - As introduced, authorizes commissioner of safety to commission private armed guards as state facility protection officers for state buildings in Davidson County. - Amends TCA Title 4, Chapter 3, Part 20. by \*McCormick, \*Brooks K.

**House Bill No. 1497** -- Motor Vehicles - As introduced, increases the fines for failure to use safety belts; designates a portion of the revenue from the fines to the division of vocational

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rehabilitation, and a portion to the state general fund. - Amends TCA Section 55-9-603. by \*McCormick.

**House Bill No. 1498** -- Special License Plates - As introduced, creates a special license plate for the Catholic Charities of Tennessee with the funds allocated to Samaritan Place, an adult day care center. - Amends TCA Title 55, Chapter 4, Part 2. by \*Dunn.

**\*House Bill No. 1499** -- Tobacco, Tobacco Products - As introduced, authorizes counties and municipalities to ban smoking within 50' of a building owned or used by the county or municipality for governmental purposes the same as such entities may now prohibit smoking within 50' of a hospital. - Amends TCA Title 39, Chapter 17, Part 15. by \*Lundberg.

**\*House Bill No. 1500** -- Lottery, Scholarships and Programs - As introduced, allows a Tennessee student graduating from an out-of-state boarding school that is accredited by a member of the National Association of Independent Schools Commission on Accreditation to be eligible for Tennessee HOPE lottery scholarship, if the student meets all other applicable requirements for the scholarship. - Amends TCA Title 49, Chapter 4, Part 9. by \*Lundberg.

**House Bill No. 1501** -- Privacy, Confidentiality - As introduced, clarifies that family safety center records are subject to the same confidentiality protections as rape crisis center and domestic violence shelter records. - Amends TCA Title 10, Chapter 7, Part 5 and Title 36, Chapter 3, Part 6. by \*DeBerry J.

**\*House Bill No. 1502** -- Local Education Agencies - As introduced, allows LEAs, with approval from the state board of education, to establish community schools, which are schools that partner with the community for additional resources for students and families. - Amends TCA Title 49, Chapter 1 and Title 49, Chapter 2. by \*DeBerry J.

**\*House Bill No. 1503** -- Sexual Offenders - As introduced, requires any sexual offender whose victim was a child of thirteen years of age or less to be classified as an offender against children and to register for life. - Amends TCA Title 39 and Title 40, Chapter 39. by \*DeBerry J.

**\*House Bill No. 1504** -- Civil Procedure - As introduced, creates a two year, rather than one year, statute of limitations for commencing wrongful death action. - Amends TCA Title 28, Chapter 3. by \*DeBerry J.

**\*House Bill No. 1505** -- Children's Services, Dept. of - As introduced, sets minimum disclosure requirements for the department of children's services after the fatality of a child under certain circumstances. - Amends TCA Title 37, Chapter 5. by \*DeBerry J.

**\*House Bill No. 1506** -- Firearms and Ammunition - As introduced, provides a person, who is terminated or disciplined by an employer for transporting or storing firearms or ammunition in a privately owned motor vehicle on the employer's property, with a civil action for damages and an injunction preventing the employer from carrying out further terminations or punishments. - Amends TCA Section 39-17-1313. by \*Keisling.

**\*House Bill No. 1507** -- School Transportation - As introduced, increases the amount of recorded travel from less than two hundred thousand (200,000) miles to less than four hundred thousand (400,000) miles, for any conventional or Class D school bus operated in its sixteenth or seventeenth year of service. - Amends TCA Title 49, Chapter 6, Part 21. by \*Travis.

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**House Bill No. 1508** -- Sentencing - As introduced, imposes \$5,000 fine on person convicted of assault where bodily injury is caused to another and imposes \$15,000 fine on person convicted of aggravated assault where person intentionally or recklessly causes serious bodily injury or a weapon is used. - Amends TCA Title 39, Chapter 13, Part 1. by \*Durham.

**House Bill No. 1509** -- Remedies and Special Proceedings - As introduced, specifies that the statutory remedies provided under title 4, chapter 21, regarding discrimination, harrasment and other human rights violations, are the exclusive remedies for any violation of the chapter. - Amends TCA Title 4, Chapter 21. by \*Durham.

**House Bill No. 1510** -- Taxes, Ad Valorem - As introduced, requires that the reimbursement of property taxes paid by the state to eligible veterans who are disabled shall be paid on the first \$200,000, instead of \$175,000, of the full market value of the veteran's property. - Amends TCA Section 67-5-704. by \*Littleton.

**\*House Bill No. 1511** -- Sentencing - As introduced, increases penalty for offense of evading arrest in motor vehicle from Class D to Class C felony if the evading results in death or injury to an innocent bystander or 3rd party. - Amends TCA Title 39, Chapter 16, Part 6. by \*Shipley.

**House Bill No. 1512** -- Drugs, Prescription - As introduced, makes various changes to regulation of prescription drugs, including prohibiting medical practitioners from dispensing. - Amends TCA Title 29, Chapter 3; Title 39, Chapter 17, Part 4; Title 53 and Title 63. by \*Shipley.

**House Bill No. 1513** -- Controlled Substances - As introduced, adds "25H-NBOME" as a new hallucinogen to the controlled substances in Schedule I and adds "Quinolinyndolecarboxesters" and "(1-Aminocarbonyl)propylindazolecarboxamides" to synthetic cannabinoids. - Amends TCA Title 39, Chapter 17, Part 4. by \*Shipley.

**House Bill No. 1514** -- Basic Education Program (BEP) - As introduced, requires the state to provide sufficient funding so that each LEA will receive no less than a 65% state share of funding in the BEP instructional components. - Amends TCA Title 49. by \*Carr D, \*Farmer.

**House Bill No. 1515** -- Taxes, Exemption and Credits - As introduced, allows a job tax credit for employers who hire certain veterans. - Amends TCA Title 67, Chapter 4. by \*Brooks K, \*McDaniel.

**\*House Bill No. 1516** -- Taxes, Gasoline, Petroleum Products - As introduced, establishes a diesel gallon equivalent for purposes of determining the tax on liquified gas. - Amends TCA Title 67. by \*Brooks K.

**House Bill No. 1517** -- Architects, Engineers and Designers - As introduced, clarifies statutory requirements for licensure to ensure that a duly licensed architect or engineer who is performing normal architectural and engineering services within the architect or engineer's area of competence is not required to obtain additional licensure, certification, or registration to perform such services. - Amends TCA Title 4, Chapter 3, Part 13 and Title 62. by \*Tidwell.

**\*House Bill No. 1518** -- Juvenile Offenders - As introduced, permits transfer of a child to be tried as an adult if the child is under sixteen years of age and charged with an act of or attempt to commit aggravated sexual battery, aggravated child abuse, aggravated child neglect,

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or aggravated child endangerment, and the victim was eight years of age or less. - Amends TCA Title 37; Title 39 and Title 40. by \*DeBerry J.

**\*House Bill No. 1519** -- Criminal Offenses - As introduced, permits prosecution of a woman for illegal use of narcotic drugs taken during pregnancy that results in harm to the fetus or child; adds enrollment in an addiction recovery program as an affirmative defense. - Amends TCA Title 39 and Title 40. by \*DeBerry J.

**\*House Bill No. 1520** -- Judges and Chancellors - As introduced, removes the requirement that judges must complete POST training in order to carry a firearm in the discharge of the judge's official duties. - Amends TCA Section 39-17-1306. by \*McDaniel.

**House Bill No. 1521** -- Regional Authorities and Special Districts - As introduced, clarifies the status of certain river basin development authorities as state agencies for liability purposes. - Amends TCA Title 64, Chapter 1. by \*McDaniel.

**House Bill No. 1522** -- Pets - As introduced, moves the jurisdiction for issuance of orders to destroy dogs that attack humans from circuit court to general sessions court. - Amends TCA Title 44, Chapter 17. by \*Farmer.

**House Bill No. 1523** -- Election Laws - As introduced, revises various election law provisions. - Amends TCA Section 2-19-107; Section 2-2-107; Section 2-2-109; Section 2-2-201; Section 2-3-109; Section 2-3-204; Section 2-4-106; Section 2-5-102; Section 2-5-106; Section 2-6-103 and Section 40-20-113. by \*Haynes.

**\*House Bill No. 1524** -- Victims' Rights - As introduced, requires a photograph of a victim of a violent crime, taken prior to the crime, to be admitted at trial during the state's case-in-chief if the victim is unable to testify or be present at trial. - Amends TCA Title 39 and Title 40. by \*Haynes.

**\*House Bill No. 1525** -- Utilities, Utility Districts - As introduced, requires TACIR to report annually to the state and local government committee of the senate and the state government committee of the house on whether the wholesale power supply arrangements between the TVA and municipal utilities and electric cooperatives are likely to change in the future in a way that could affect payments in lieu of taxes from the TVA to the state and local governments. - Amends TCA Section 4-10-112; Title 7, Chapter 39, Part 4 and Title 7, Chapter 52, Part 3. by \*Haynes.

**\*House Bill No. 1526** -- Evidence - As introduced, creates presumption to successor trial and appellate judges that if the original trial judge dismisses the jury following a unanimous verdict, a presumption is created that the judge exercised his or her duties as the 13th juror and approves the verdict. - Amends TCA Title 40, Chapter 18, Part 1. by \*Haynes.

**\*House Bill No. 1527** -- Criminal Procedure - As introduced, enacts the "Channon Christian Act," which clarifies rule of evidence regarding certain character evidence. - Amends TCA Title 24, Chapter 7, Part 1. by \*Haynes.

**House Bill No. 1528** -- State Employees - As introduced, creates the three stars of Tennessee award and an advisory committee that selects and awards peace officers, firefighters, and medical first responders killed or injured in the line of duty. - Amends TCA Title 4, Chapter 1. by \*Haynes.

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**\*House Bill No. 1529** -- Solid Waste Disposal - As introduced, authorizes certain counties with solid waste disposal facilities or incinerators that receive revenue from surcharges imposed on municipal solid waste from other counties to use such revenue for purposes not related to solid waste management, subject to the approval of the counties' governing bodies. - Amends TCA Title 68. by \*Brooks K, \*Watson.

**House Bill No. 1530** -- Taxes, Real Property - As introduced, allows county mayors to require training of county board of equalization members and hearing officers; restates notice procedures regarding property tax appeals; permits electronic notification and recordation. - Amends TCA Title 67, Chapter 1, Part 4 and Title 67, Chapter 5. by \*Carr D.

**\*House Bill No. 1531** -- Education - As introduced, deletes the requirement that the comptroller approve requests for proposals submitted by an LEA to purchase certain Internet services; requires the state department of education to develop policies governing such LEA purchases. - Amends TCA Title 49, Chapter 3, Part 3. by \*Lundberg.

**House Bill No. 1532** -- Comptroller, State - As introduced, deletes the utility relocation loan program; transfers funds from the utility relocation loan program to the utility revitalization loan program. - Amends TCA Title 7, Chapter 82, Part 7; Title 9, Chapter 4 and Title 67, Chapter 3, Part 9. by \*Alexander.

**\*House Bill No. 1533** -- Taxes, Ad Valorem - As introduced, increases, from fifteen to twenty, the number of days after the sale or termination of a business within which the operator of the business must notify the local assessor and pay any personal property taxes due on account of the operation of the business; requires the successor to withhold an amount of the sale consideration or liquidation proceeds to cover personal property taxes for the current tax year. - Amends TCA Title 67. by \*Ramsey.

**\*House Bill No. 1534** -- Taxes, Ad Valorem - As introduced, provides that a person applying for, or renewing, a registration with the board of equalization to be a taxpayer's agent will also be deemed an agent for certain service of process purposes. - Amends TCA Title 67. by \*Sanderson.

**\*House Bill No. 1535** -- Local Government, General - As introduced, requires certain indebtedness by a local government to be approved by the state funding board or the comptroller. - Amends TCA Title 4; Title 5; Title 6; Title 7 and Title 9, Chapter 21. by \*McManus, \*Ramsey.

**House Bill No. 1536** -- Taxes - As introduced, allows a deduction from business taxes for any costs incurred by a natural gas marketer to take title to, transport, or deliver natural gas to customer facilities located in this state. - Amends TCA Title 67. by \*Sargent.

**\*House Bill No. 1537** -- Taxes, Sales - As introduced, under certain circumstances, requires persons with agents or affiliates in this state to pay sales tax on retail sales to Tennessee purchasers; creates a rebuttable presumption that a person has an agent in this state if the person enters into agreements with residents to refer customers to the person and annual gross receipts from referred sales exceed \$10,000. - Amends TCA Title 67, Chapter 6. by \*Sargent.

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**House Bill No. 1538** -- Welfare - As introduced, requires owners and operators of automated teller machines to disable their machines from accepting electronic benefit transfer cards in locations of certain kinds of businesses. - Amends TCA Title 71. by \*Weaver, \*Butt.

**House Bill No. 1539** -- Banks and Financial Institutions - As introduced, allows industrial loan and thrift companies to charge a convenience fee for accepting payment through electronic means. - Amends TCA Section 45-5-403. by \*Brooks K.

**SENATE BILLS TRANSMITTED**

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

**Senate Bill No. 1266** -- Education, Curriculum - As introduced, requires emphasis on American foundational instruments and instruction in American historical achievement. - Amends TCA Title 49. by \*Niceley, \*Bowling, \*Ford. (\*HB1129 by \*Hill T)

**Senate Bill No. 1360** -- Consumer Protection - As introduced, authorizes the commissioner of financial institutions to enforce title 47 against any entity regulated by the commissioner. - Amends TCA Title 45 and Title 47. by \*Johnson. (\*HB1242 by \*Johnson C)

**HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**House Bill No. 1451** -- Teachers, Principals and School Personnel -- House Education Committee

**\*House Bill No. 1452** -- Education, Higher -- House Education Committee

**\*House Bill No. 1453** -- Local Education Agencies -- House Education Committee

**\*House Bill No. 1454** -- Criminal Offenses -- House Criminal Justice Committee

**\*House Bill No. 1455** -- Sexual Offenses -- House Criminal Justice Committee

**House Bill No. 1456** -- Controlled Substances -- House Criminal Justice Committee to House Health Committee

**House Bill No. 1457** -- Lottery, Scholarships and Programs -- House Education Committee

**\*House Bill No. 1458** -- Banks and Financial Institutions -- House Insurance and Banking Committee

**House Bill No. 1459** -- Hospitals and Health Care Facilities -- House Health Committee

**\*House Bill No. 1460** -- Taxes -- House Local Government Committee

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**\*House Bill No. 1461** -- Tobacco, Tobacco Products -- House Finance, Ways & Means Committee

**\*House Bill No. 1462** -- Lottery, Charitable -- House State Government Committee

**\*House Bill No. 1463** -- Special License Plates -- House Transportation Committee

**House Bill No. 1464** -- Contractors -- House Business and Utilities Committee

**\*House Bill No. 1465** -- Physicians and Surgeons -- House Health Committee

**\*House Bill No. 1466** -- Pharmacy, Pharmacists -- House Health Committee

**House Bill No. 1467** -- Intellectual & Developmental Disabilities -- House Health Committee

**\*House Bill No. 1468** -- County Government -- House Local Government Committee

**House Bill No. 1469** -- Lake City -- House Local Government Committee

**\*House Bill No. 1470** -- Traffic Safety -- House Transportation Committee

**House Bill No. 1471** -- Boards and Commissions -- House Agriculture and Natural Resources Committee

**House Bill No. 1472** -- Water Authorities -- House Agriculture and Natural Resources Committee

**House Bill No. 1473** -- School Transportation -- House Transportation Committee

**\*House Bill No. 1474** -- Taxes, Exemption and Credits -- House Government Operations Committee

**\*House Bill No. 1475** -- Taxes, Exemption and Credits -- House Finance, Ways & Means Committee

**\*House Bill No. 1476** -- Alcoholic Beverages -- House State Government Committee

**House Bill No. 1477** -- Energy -- House Business and Utilities Committee

**\*House Bill No. 1478** -- Sheriffs -- House Local Government Committee

**House Bill No. 1479** -- Agriculture, Dept. of -- House Agriculture and Natural Resources Committee

**\*House Bill No. 1480** -- Firearms and Ammunition -- House Civil Justice Committee

**House Bill No. 1481** -- Local Government, General -- House Local Government Committee

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**House Bill No. 1482** -- Special License Plates -- House Transportation Committee

**\*House Bill No. 1483** -- Firearms and Ammunition -- House Civil Justice Committee

**\*House Bill No. 1484** -- Motor Vehicles -- House Transportation Committee

**House Bill No. 1485** -- Highways, Roads and Bridges -- House Transportation Committee

**House Bill No. 1486** -- Special License Plates -- House Transportation Committee

**\*House Bill No. 1487** -- Motor Vehicles -- House Transportation Committee

**\*House Bill No. 1488** -- Criminal Procedure -- House Criminal Justice Committee

**CONSENT CALENDAR**

**House Resolution No. 139** -- Memorials, Congratulations - Cory Robert Stephenson Legionnaire of the Year. by \*Butt.

**House Joint Resolution No. 547** -- Memorials, Sports - Recognizes the Ooltewah High School Band for its performance at the Macy's Thanksgiving Day Parade. by \*Carter, \*Floyd, \*McCormick, \*Dean, \*Favors.

**House Joint Resolution No. 546** -- Memorials, Public Service - Neva Jean (Simmons) Hale. by \*Travis.

**House Joint Resolution No. 544** -- Memorials, Personal Occasion - Roy and Katherine Kelsey, 50th wedding anniversary. by \*Brooks K, \*Watson.

**House Joint Resolution No. 541** -- Memorials, Recognition - Mallory Fundora, 13-year old altruist and founder of Project Yesu. by \*Pitts, \*Tidwell, \*Johnson C.

Rep. Carter moved that all members voting aye on House Joint Resolution No. 547 be added as co-prime sponsors with the Hamilton County delegation listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan, Womick.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes .....	91
Noes.....	0
Present and not voting.....	2

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Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Coley, Cooper, Dean, DeBerry J, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Kane, Keisling, Lamberth, Littleton, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Roach, Rogers, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 90

Representatives present and not voting were: Jones, Sanderson -- 2

A motion to reconsider was tabled.

**JOURNAL CORRECTION**

Without objection, the Speaker requested that the Journal reflect that Rep. Marsh voted “aye” on the **Consent Calendar**.

**REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on the **Consent Calendar** and have this statement entered in the Journal: Rep(s). Rich.

**REGULAR CALENDAR**

**House Joint Resolution No. 529** -- Memorials, Recognition - Carolyn Corlew, Ms. Senior America 2013. by \*Lynn, \*Pody, \*Hardaway.

**BILL HELD ON DESK**

Rep. Lynn moved that **House Joint Resolution No. 529** be held on the Clerk’s desk, which motion prevailed.

**UNFINISHED BUSINESS**

**MOTION TO RECONSIDER**

**Senate Joint Resolution No. 463** -- Memorials, Retirement - Dr. Shirley C. Raines, University of Memphis. by \*Kyle, \*Finney, \*Tate, \*Norris, \*Ford, \*Kelsey, \*Beavers, \*Bell, \*Bowling, \*Burks, \*Campfield, \*Crowe, \*Dickerson, \*Gardenhire, \*Green, \*Gresham, \*Haile, \*Harper, \*Henry, \*Hensley, \*Johnson, \*Ketron, \*McNally, \*Niceley, \*Overbey, \*Southerland, \*Stevens, \*Summerville, \*Tracy, \*Watson, \*Yager, \*Ramsey.

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Rep. Eldridge moved to lift from the table the motion to reconsider action in concurrence of Senate Joint Resolution No. 463, which motion prevailed.

Rep. Eldridge moved to reconsider action in the concurrence of Senate Joint Resolution No. 463, which motion prevailed.

Rep. Eldridge moved that all members voting aye on Senate Joint Resolution No. 463 be added as co-prime sponsors with the Shelby and Madison County delegations listed first, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Pody, Ragan, Womick.

Rep. Eldridge moved that the House concur in **Senate Joint Resolution No. 463**, which motion prevailed by the following vote:

Ayes ..... 96  
Noes..... 0

Representatives voting aye were: Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

**JOURNAL CORRECTION**

Without objection, the Speaker requested that the Journal reflect the Rep(s). Wirgau and Sanderson voted “aye” on **Senate Joint Resolution No. 463**.

**BILLS WITHDRAWN**

On motion of Rep. Miller **House Bill No. 1366** was recalled from the Transportation Committee and withdrawn from the House.

On motion of Rep. Miller **House Bill No. 1463** was recalled from the Transportation Committee and was withdrawn from the House.

**BILL RETURNED**

Rep. Dennis moved that **Senate Bill No. 1058** be returned to the Senate as requested, which motion prevailed.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 548** Rep(s). Casada, Wirgau, Dunn, Holt, H. Brooks, Matheny, Sanderson, Ramsey, Roach, Swann, D. Carr, Rich, Farmer as prime sponsor(s).

**House Bill No. 1386** Rep(s). Casada, McCormick as prime sponsor(s).

**House Bill No. 1395** Rep(s) Swann, Halford, C. Johnson, Dunn, Holt, Doss, Butt, Wirgau, Sanderson, Fitzhugh, Sexton, Travis, R. Williams, Keisling, Pitts, Eldridge as prime sponsor(s).

**House Bill No. 1398** Rep(s). Keisling, Casada, McManus, McCormick, Lollar, Weaver, McDaniel, Durham, Holt, Travis, Powers, Alexander, M. Hill, Farmer, Halford, T. Hill, Van Huss, Spivey, Hall, Shipley, R. Williams, Dean, Pody, Ragan, Goins, Womick, J. Carr, Faison, Kane, Hawk, Sexton, Littleton, Lynn, Butt, Rich, Dennis as prime sponsor(s).

**House Bill No. 1411** Rep(s). Travis and K. Brooks as prime sponsor(s).

**House Bill No. 1413** Rep(s). Kane and K. Brooks as prime sponsor(s).

**House Bill No. 1415** Rep(s). Rogers as prime sponsor(s).

**House Bill No. 1416** Rep(s). D. Carr and K. Brooks as prime sponsor(s).

**House Bill No. 1417** Rep(s). Carter and K. Brooks as prime sponsor(s).

**House Bill No. 1419** Rep(s). D. White and K. Brooks as prime sponsor(s).

**House Bill No. 1422** Rep(s). Pody and K. Brooks as prime sponsor(s).

**House Bill No. 1426** Rep(s). Dunn and K. Brooks as prime sponsor(s).

**House Bill No. 1427** Rep(s). R. Williams and K. Brooks as prime sponsor(s).

**House Bill No. 1429** Rep(s). Lamberth and K. Brooks as prime sponsor(s).

**House Bill No. 1431** Rep(s). Haynes and K. Brooks as prime sponsor(s).

**House Bill No. 1432** Rep(s). Harrison and K. Brooks as prime sponsor(s).

**House Bill No. 1433** Rep(s). Spivey and K. Brooks as prime sponsor(s).

**House Bill No. 1435** Rep(s). Swann and K. Brooks as prime sponsor(s).

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**House Bill No. 1436** Rep(s). Travis and K. Brooks as prime sponsor(s).

**House Bill No. 1437** Rep(s). Halford and K. Brooks as prime sponsor(s).

**House Bill No. 1439** Rep(s). Casada and K. Brooks as prime sponsor(s).

**ENGROSSED BILLS  
January 16, 2014**

MADAM SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 541, 544, 546 and 547.

GREG GLASS, Interim Chief Engrossing Clerk

**MESSAGE FROM THE SENATE  
January 16, 2014**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No(s). 494; for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**ENROLLED BILLS  
January 16, 2014**

MADAM SPEAKER: Your Interim Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution No(s). 139; and find same correctly enrolled and ready for the signature of the Speaker.

GREG GLASS, Interim Chief Engrossing Clerk

**SIGNED  
January 16, 2014**

The Speaker announced that she had signed the following: House Resolution No(s). 139.

GREG GLASS, Interim Chief Engrossing Clerk

**SIGNED  
January 16, 2014**

The Speaker announced that she had signed the following: Senate Joint Resolution No(s). 494.

JOE McCORD, Chief Clerk

**ROLL CALL**

The roll call was taken with the following results:

Present..... 97

Representatives present were Akbari, Alexander, Armstrong, Bailey, Brooks H, Brooks K, Butt, Calfee, Camper, Carr D, Carr J, Carter, Casada, Coley, Cooper, Dean, DeBerry J, Dennis, Doss, Dunn, Durham, Eldridge, Evans, Faison, Farmer, Favors, Fitzhugh, Floyd, Forgety, Gilmore, Goins, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hill M, Hill T, Holt, Jernigan, Johnson C, Johnson G, Jones, Kane, Keisling, Lamberth, Littleton, Lollar, Love, Lundberg, Lynn, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller, Mitchell, Moody, Parkinson, Pitts, Pody, Powell, Powers, Ragan, Ramsey, Rich, Roach, Rogers, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Spivey, Stewart, Swann, Tidwell, Towns, Travis, Turner J, Turner M, Van Huss, Watson, Weaver, White D, White M, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

**RECESS**

On motion of Rep. McCormick the House stood in recess until 9:00 a.m., Wednesday, January 22, 2014.